

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

INTERNATIONAL BUSINESS MACHINES CORPORATION,	)	
	)	
	)	
Plaintiff,	)	C.A. No. 16-122-LPS
	)	
v.	)	<b>JURY TRIAL DEMANDED</b>
	)	
GROUPON, INC.	)	
	)	
Defendant.	)	

**PLAINTIFF IBM'S MOTION FOR SUMMARY JUDGMENT OF  
NO AFFIRMATIVE DEFENSES OF LICENSE, EXHAUSTION, FIRST SALE,  
ESTOPPEL, COVENANT NOT TO SUE, AND RELEASE**

Plaintiff International Business Machines Corporation ("IBM"), by and through its undersigned counsel, respectfully moves this Court for an Order granting summary judgment of No Affirmative Defenses Of License, Exhaustion, First Sale, Estoppel, Covenant Not To Sue, and Release. The grounds for IBM's Motion are set forth in its Opening Brief filed contemporaneously herewith.

Respectfully submitted,  
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